

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MYRTIS PAULO HART,

Plaintiff,

v.

CV No. 21-1077 KWR/CG

FEDERAL BUREAU OF INVESTIGATION, et al.,

Defendants.

**ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)
AND TO MAKE PAYMENTS OR SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff Myrtis Paulo Hart's *Application to Proceed in District Court without Prepaying Fees or Costs* (the "Application"), (Doc. 11), filed on November 22, 2021. Upon review of the Application and the inmate account statement, (Doc. 11 at 6), the Court finds that Mr. Hart's Application shall be granted. As such, the filing fee for this civil rights complaint is \$350.00. Pursuant to 28 U.S.C. § 1915(b)(1), Mr. Hart is required to make installment payments until the full amount of the filing fee is paid.

Mr. Hart's inmate account statement shows total deposits over the three-month period preceding filing in the amount of \$395.00 for an average monthly deposit of \$131.67. (Doc.11 at 6). Analyzing Mr. Hart's inmate account statement, under § 1915(b)(1), the Court finds that Mr. Hart owes an initial partial payment of \$26.33 (20% of \$131.67). If Mr. Hart fails to make a payment by the designated deadline or show cause why such payment should be excused, the civil rights complaint may be dismissed without further notice.

IT IS THEREFORE ORDERED that Mr. Hart's *Application to Proceed in District*

Court without Prepaying Fees or Costs, (Doc. 11), is **GRANTED**.

IT IS FURTHER ORDERED that, by no later than **December 29, 2021**, Mr. Hart shall send to the Clerk an initial partial payment of \$26.33 or show cause why the payment should be excused;

IT IS FURTHER ORDERED that the Clerk shall provide Mr. Hart with two copies of this Order, and that Mr. Hart shall make the necessary arrangements to attach one copy of this Order to the check in the \$26.33 amount of the initial partial payment; and

IT IS FINALLY ORDERED that, after payment of the \$26.33 initial partial fee, Mr. Hart shall make monthly payments of twenty per cent (20%) of the preceding month's income credited to the account or show cause why the designated payments should be excused.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a horizontal line extending to the right.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE